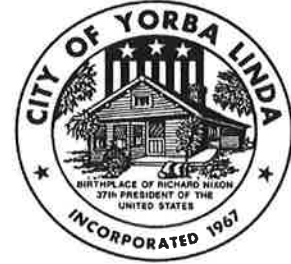


Filing Instructions for:

Lot Line Adjustment



The following instructions are intended to provide the necessary information and procedures to facilitate the processing of a Lot Line Adjustment application. Your cooperation with these instructions will ensure that your application is processed in the most expeditious manner possible.

I. GENERAL INFORMATION AND FILING INSTRUCTIONS

Section 66412(d) of the Subdivision Map Act specifies that the Subdivision Map Act is inapplicable to lot line adjustments among four or fewer existing adjoining parcels, where the land taken from one parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not thereby created, provided the lot line adjustment is approved by resolution of the local agency.

The Subdivision Map Act provides three different methods for subdividing property. Tract map and parcel map procedures provide two methods of creating new building sites. The certificate of compliance procedure provides a method of certifying previously subdivided parcels under certain conditions. The lot line adjustment is not a subdivision procedure.

The lot line adjustment is a routine procedure that may be used under certain specified circumstances as a method for making minor revisions to property lines between two or more existing building sites. When it has been determined that a proposed revision to property lines qualifies as a “lot line adjustment” it is exempted from the normal subdivision process.

The lot line adjustment procedure is appropriate in situations where the provisions of the Subdivision Map Act and the Subdivision Code do not apply. This includes lot line adjustments that are of a minor and routine nature, where a resolution can be adopted without the need of extensive review and public involvement. The City Engineer shall have authority for determining that a proposed lot line revision qualifies as a “lot line adjustment”.

A lot line adjustment is categorically exempted from the California Environmental Quality Act (CEQA) as class 5 “Minor Alternations in Land Use Limitations”, per section 15305 of the CEQA Guidelines.

II. REQUIREMENTS FOR FILING APPLICATION

The application for a lot line adjustment requires completion of simple forms requiring basic information regarding the properties involved, including an updated title report, the preparation of maps illustrating the proposal, the preparation of deeds reflecting the newly adjusted lots or

parcels, and the payment of a processing fee and plan check deposit. The legal owners of the parcels involved will be responsible for the accuracy of all information submitted in connection with this application.

The items that are required to be submitted will be legal documents that must be recorded. Therefore, the forms must be typed, and the exhibits drawn legibly. Also, to assure the reproducibility of the documents, use black ink on all forms and maps.

To accurately compile the information required, the County of Orange requires that the application and exhibits for a lot line adjustment be prepared by a person authorized to practice land surveying pursuant to Sections 8700 through 8807 of the Business and Professions Code, State of California.

III. CRITERIA FOR ACCEPTANCE

An application for a lot line adjustment may be accepted when it can be determined that the proposal complies with the following specifications:

1. The project site described in the proposal consists of legal building sites.
2. Any land taken from one parcel will be added to an adjacent parcel, with the resultant number of parcels not being a greater number than the original condition as a result of the lot line adjustment.
3. The lot line adjustment involves four or fewer parcels.
4. The proposal is consistent with the General Plan.
5. The parcels adjusted through the lot line adjustment procedure comply with all applicable zoning regulations.
6. The lot line adjustment, in and of itself, will not result in the need for additional improvements and/or facilities.
7. No dedication or street improvements is required from either parcel as a condition for the lot line adjustment.

IV. PROCEDURE

1. Before submitting an application, the person desiring the lot line adjustment shall first consult with the Planning Division and the Engineering Division to ascertain applicable requirements.
2. The applicant shall then submit the application and documents, prepared by a person authorized to practice land surveying, to the Planning Division and pay the required application processing fee. A separate plan check fee also shall be paid to the

Engineering Division when the lot line adjustment documents are forwarded to the Engineering Division for plan check. (Note: The original lot line adjustment application, engineered map and revised grant deeds shall be submitted to the Planning Division).

3. The Planning Division shall review the application and related documents to verify completeness. If complete, the item will be scheduled for the next available Planning Commission agenda and the applicant shall be notified, in writing, as to the date, time, and place of the Planning Commission meeting. If incomplete, the item will not be scheduled for the Planning Commission agenda, and the applicant will be notified, in writing, as to the list of items necessary to make the application complete. The applicant shall make the application complete, per the aforementioned list of necessary items, before any further processing of the application can be reinitiated.
4. When complete, the planning staff shall set the matter for consideration by the Planning Commission and shall prepare a report to the Planning Commission to verify compliance with zoning and land use ordinances and with established policies and procedures of the City. The report shall make recommendation to the Planning Commission as to the appropriate course of action based upon an analysis of the facts of the application.
5. The Planning Commission shall, by Resolution, approve, conditionally approve, or disapprove the application. The applicant shall be notified, in writing, as to the motion, vote, and official action of the Planning Commission.
6. With approval of the lot line adjustment by the Planning Commission, the Subdivision Section of the Engineering/Public Works Department shall begin plan checking the application and related documents to ensure technical accuracy and acceptable format for recording.
7. **Optional Expedited Plan Check** – An applicant may authorize initiation of plan check by the Engineering Division prior to approval by the Planning Commission. This is an optional method of processing the lot line adjustment that accelerates overall processing/approval time, since Engineering plan check occurs concurrently with Planning Commission review. The applicant understands, however, that submitting for plan check prior to approval by the Planning Commission carries some level of risk. Specifically, if the requested lot line adjustment ultimately is denied or modified by the Planning Commission, for whatever reason, the applicant understands that he or she will be responsible for payment of any plan check-related costs incurred with respect to his/her application. To ensure this understanding, in order to proceed with Optional Expedited Plan Check, the applicant shall execute the *Memorandum of Acknowledgement* enclosed along with the lot line adjustment exhibits and submit the agreement to the Planning Division as part of the application submittal package.
8. Upon completion of plan check and prior to submission of final lot line adjustment documents to the City for appropriate signatures, the individual who is responsible for the preparation of said documents shall sign and seal the original documents in accordance with the Land Surveyor's Act, Article 5, Section 8761 which states that in addition to his

signature, the land surveyor “shall show license or registration number of the stamp of his seal.

9. When plan check is completed, the applicant will be notified by telephone by the Engineering Division that the final lot line adjustment exhibits are available for pick-up and recordation. Please be advised that in order to perfect the lot line adjustment, in addition to recording the lot line adjustment exhibits, revised grant deeds conveying the newly adjusted properties shall be recorded concurrently with the corresponding lot line adjustment exhibits by the County of Orange. Recordation fees will be paid directly by the applicant or agent.
10. Documents for recordation shall be assembled in the following sequence:
 - Cover Sheet for Lot Line Adjustment
 - Legal Description (Exhibit “A”)
 - Map (Exhibit “B”)

(Please note that the Site Plan [Exhibit “C”] is not to be recorded)

V. FILING FEES

Lot Line Adjustment: \$2,763.00 deposit, \$286.00 hourly rate

Refer to the attached sheets for submittal requirements.

SUBMITTAL REQUIREMENTS

1. PAYMENT OF PLANNING APPLICATION FEE (*Planning Commission Review*): **\$2,763.00** deposit per application. (\$286.00 per hour)
Please be aware that this is a deposit-based account (charged on an hourly basis), which may require additional request for funds in the future.
2. PAYMENT OF ENGINEERING PLAN CHECK DEPOSIT: **\$2,000.00** (*Plan Check fee shall be paid directly to the Engineering Division*).
3. UNIFORM APPLICATION: Please submit a completed Uniform Application (application may be obtained from the Planning Division).
4. LETTER OF EXPLANATION/JUSTIFICATION: submit a detailed letter explaining the reasons(s) for the Lot Line Adjustment.
5. COVER SHEET FOR LOT LINE ADJUSTMENT WITH ORIGINAL NOTARIZED SIGNATURES: All owners of record shall sign the Lot Line Adjustment Cover Sheet. Where owned by an entity, the cover sheet shall be signed by an individual authorized to do so and supported by a written documentation of authorization. Please include printed name and title.
6. EXHIBIT "A" – LEGAL DESCRIPTION: **Original + 15 copies.**
 - Legal description of the proposed adjusted parcels.
7. EXHIBIT "B" – LOT LINE ADJUSTMENT MAP: **Original + 15 copies.**

The map must be prepared by a person authorized to practice land surveying and drawn in black ink in the 8 1/2" x 14" form provided. The map must be clear and readable. At least the following information must be provided on the map (additional information may be required):

 - A 2.5-inch square margin in the upper left corner for recordation purposes.
 - Map scale and north arrow.
 - The location of the project site in relation to existing streets and the distance to the nearest cross-street. (Must be detailed enough to allow someone not familiar with the area to locate the project site).
 - The existing and proposed lot layout. Show bearings and distances for all parcel lines. See attached sample map for line weights.
 - A number for each parcel (Parcel 1, Parcel 2, etc.) and the area of each parcel.
8. EXHIBIT "C" - SITE PLAN: **15 copies** – This document is not recorded with the Orange County Recorder.

Since only certain information can be on the official recorded Lot Line Adjustment Map (Exhibit "A"), a second exhibit is required showing the additional information necessary to verify compliance with adopted City ordinances.

This site plan shall be submitted on a COPY of the Lot Line Adjustment Map (Exhibit "A"), and shall include the following information:

- The location and width of all existing or proposed easements of rights-of- way, whether public or private, for access roads, drainage, sewers, or flood control purposes. Label the easements as existing or proposed and indicate to whom the easement is granted.
 - The location of any above ground or underground structures on the site. Dimension distances from proposed property lines to structures. If there are no structures on the lots proposed for adjustment, as a note on the map stating that fact.
 - Grading/Topographical information, including site contours, water flow, and existing/proposed drainage structures, as determined necessary by the Planning Division, on a case-by-case basis.
 - Any other information, as determined necessary by the Planning Division, on a case-by-case basis, to completely and properly assess the proposed Lot Line Adjustment.
9. TITLE REPORT: 3 copies (dated within the previous three months) – This document is not recorded with the Orange County Recorder. A title report for the properties involved shall be provided to assure adequate preparation of the revised grant and trust deeds.
10. LOT CLOSURES: 2 copies - Traverse calculations with closures of 0.017' of all closed figures (*Required for plan check purposes*).
11. EASEMENT DOCUMENTS: 2 copies each - Provide copies of recorded easement documents referenced in the above title reports for each property.
12. REFERENCE MAPS AND DEEDS: 2 copies each
- Underlying recorded map (tract/parcel) for the existing lots.
 - Assessor's Parcel Map Book page(s) showing subject lots.
 - Deeds for existing parcels/lot lines.
13. MEMORANDUM OF ACKNOWLEDGEMENT: 1 original – An executed Memorandum of Acknowledgement signed by property owners of all subject properties shall be submitted if **Optional Expedited Plan Check** is requested.

WHEN RECORDED, RETURN TO:

THIS AREA FOR RECORDER'S USE ONLY

LOT LINE ADJUSTMENT NO.	
RECORD OWNERS	EXISTING PARCELS (Assessor Parcel Numbers)
Parcel 1:	
Parcel 2:	
Parcel 3:	
Parcel 4:	
LEGAL DESCRIPTION OF ADJUSTED PARCELS See attached Exhibit "A" – Legal Description and Exhibit "B" – Map and Exhibit "C" – Site Plan	
SIGNATURE(S) OF RECORDED OWNER(S) (Must be Notarized)	
Parcel 1 Print Name/Title:	Signature:
Parcel 2 Print Name/Title:	Signature:
Parcel 3 Print Name/Title:	Signature:
Parcel 4 Print Name/Title:	Signature:
CITY OF YORBA LINDA ENGINEERING DIVISION ACCEPTANCE This Lot Line Adjustment is acceptable to the City. Signature: _____ Jamie Lai, City Engineer RCE: 65296 Date: _____	
CITY OF YORBA LINDA SURVEYOR'S ACCEPTANCE I hereby state that I have examined this lot line adjustment and found that it is technically correct. Signature: _____ David Knell, Acting City Surveyor Date: _____	

EXHIBIT "A" - LEGAL DESCRIPTION
LOT LINE ADJUSTMENT NO. LLA - _____

Scale: _____

Assessor's Parcel Number(s) APN: _____

Section _____, Township _____ and Range _____

Date Exhibit Prepared: _____

EXHIBIT "B" - MAP
LOT LINE ADJUSTMENT NO. LLA - _____

Scale: _____

Assessor's Parcel Number(s) APN: _____

Section _____, Township _____ and Range _____

Date Exhibit Prepared: _____

EXHIBIT "C" – SITE PLAN
LOT LINE ADJUSTMENT NO. LLA - _____

Scale: _____

Assessor's Parcel Number(s) APN: _____

Section _____, Township _____ and Range _____

Date Exhibit Prepared: _____

MEMORANDUM OF ACKNOWLEDGEMENT

I (We) _____ and _____ and _____ and _____ request that the City of Yorba Linda accept and begin Engineering Division plan check of our lot line adjustment for properties located at _____ (Parcel 1), _____ (Parcel 2), _____ (Parcel 3) and _____ (Parcel 4) prior to Planning Division/Planning Commission review and/or approval. I (We) agree and accept that the City of Yorba Linda will be charging **non-refundable** plan check fees for incurred costs associated with the Engineering Division plan check submittal regardless of the outcome of my (our) pending Planning Division/Planning Commission review. I (We) further acknowledge that I (we) may incur additional costs privately for civil engineering or other design-related services associated with my (our) project prior to receiving approval from the Planning Division/Planning Commission. Finally, I (we) understand that acceptance of the lot line adjustment plans for review by the Engineering Division does not extend nor imply an approval from the Planning Division/Planning Commission.

_____ (Parcel 1)

_____ (Parcel 2)

_____ (Parcel 3)

_____ (Parcel 4)

Owner(s) Signature(s)

Date _____